

WHO REALLY OWNS MISSOURI LANDS?

Professor of Law at University of Missouri Says Land Holder is Tenant of State.

Does a Missouri farmer really own his own land? If he holds a clear title, does the law look upon him as the owner of the land, or does it look upon the State as the owner and the farmer as the tenant? These questions are treated in a recent bulletin upon "Land Tenure and Conveyances in Missouri," by Manley O. Hudson, Professor of Law at the University at Columbia. Professor Hudson gives a history of land ownership in Missouri, concluding that no land in Missouri is really owned except by the State, and that a person holding a title to a farm is really a tenant of the State.

Several hundred years ago in England, the King owned all land, ownership of land being a royal prerogative. The king parceled out his land to his subjects who held it by what was known as tenure. The tenant sometimes rendered military service to the owner or lord, and sometimes only agriculture service. This system of land holding still prevails in legal theory in England.

A similar situation existed in the American colonies under British dominion, and it is the accepted view that all land was held in tenure prior to the American Revolution. This system of land holding was not changed by the Revolution except that the respective States were substituted for the British crown as overlords.

In the territory acquired by the Louisiana Purchase this problem of legal theory is not so easily solved. The territory which is not Missouri was owned by France prior to 1762, by Spain between 1762 and 1802, again by France from 1802 to 1803, when it was ceded to the United States. Professor Hudson concludes that during these various periods the land was held by the French and Spanish crowns respectively. He traces the history of the Spanish law which prevailed in Missouri until 1816 and shows that it included a system of land tenure somewhat similar to that which prevailed in England.

The Legislature of Missouri abolished the Spanish law in 1816 and substituted the so-called common law of England. By the common law of England, as is shown above, land was held of the crown. Mr. Hudson concludes, therefore, that land in Missouri today is really owned by the State and held by the person who has the title, either because of the system of tenure in the Spanish law or because of the adoption of the common law of England in 1816.

Mr. Hudson says that the courts and lawyers seem to have assumed, without much discussion of the subject, that tenure did not find its way into Missouri law. His conclusion shows that in many respects our law is still based on medieval conceptions. Many States have by constitutional amendment or legislative enactment abolished this feudal conception of land tenure and Professor Hudson believes that if his conclusion is right, the law in Missouri should be changed by a constitutional amendment which would declare that land can really be owned by the person who has the title.

PILE OF GOLD ENTICED VICTIMS

Los Angeles, Cal., June 5.—A tale heaped high with gold was the bait in the country-wide wire-tapping swindle of which this town was one station, police officials said here today. H. B. Bauman, a farmer of Baxter City, Kas., told the police he surrendered \$1,500 at sight of the yellow heap, and H. F. McCarter, an aged rancher from Curry, Idaho, reported \$6,000 gone under the same enticement. McCarter sold his ranch and turned over every cent he had. Bauman drew his money from a bank.

MOUNTAIN CAMP IS SUMMER SCHOOL

University of Missouri Students Camp Eight Weeks in Colorado to Study Geology

Going to school in a mountain camp will be the experience of the eighteen students who will take the field course in geology given during the Summer Session of the University of Missouri at Columbia. Eight weeks will be



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passed by these students in the heart of the Rocky Mountains in Colorado. In previous years the camp has been in Wyoming.

The work of the students making the trip will consist in making a geological map and writing a report of the area studied. A part of the time will be devoted to the study of lead, zinc, gold and silver mines and other economic resources of the area, says W. A. Tarr, assistant professor of geology at the University.

Mr. and Mrs. Tarr will be in charge of the camp. Four women students will be in the party. Many of the students are graduate students, taking this course as a part fulfillment of the requirements for their master's degree. Students from five other schools besides the University of Missouri are enrolled in this course for the coming summer.

INDIGESTION AND CONSTIPATION

"About five years ago I began taking Chamberlain's Tablets after suffering from indigestion and constipation for years without finding anything to relieve me. Chamberlain's Tablets helped me at once and by using them for several weeks I was cured of the complaint," writes Mrs. Mary E. McMullen, Phelps, N. Y. For sale by all dealers. (adv.)

ADMINISTRATOR'S NOTICE

Notice is hereby given that letters of administration on the estate of Helen M. Jennings, deceased, were granted to the undersigned on the 12th day of May, 1915, by the Probate Court of St. Francois County, Missouri. All persons having claims against said estate are required to exhibit them for allowance to the Administrator within six months after the date of said letters, or they may be precluded from any benefit of said estate; and if such claims be not exhibited within one year from the date of the last insertion of the publication of this notice, they shall be forever barred.

This 12th day of May, 1915.
JOSEPH P. JENNINGS,
Administrator.
(1st publication May 21, 1915.)

QUADRUPLETS IN OKLAHOMA

Washington, D. C., June 5.—As soon as diplomatic affairs clear up sufficiently to give him time, President Wilson will send a letter of congratulation to Mr. and Mrs. F. M. Keys of Hollis, Ok., on the birth of four "fine baby girls."

J. C. Gambill, also of Hollis, who is ever anxious to report anything which reflects the excellence of that town, telegraphed Mr. Wilson telling of the births. He said that mother and children are doing well.

NOTICE OF THE PUBLIC SALE OF COLLATERAL

Whereas, on the fifth (5th) day of May, 1910, the Whitener-London Realty Company made, executed and delivered its certain collateral promissory note for Twenty-Five Hundred Dollars (\$2,500.00) payable six (6) months after date, to G. M. London, with interest at the rate of eight (8) per cent per annum from maturity, and to secure the payment of the said note pledged to the said G. M. London a note of Geo. H. Miller, dated February 11th, 1910, due on or before three years from date, drawing six per cent per annum from date and secured by 300,000 shares of the Flat River Mining Company; and,

Whereas, the undersigned purchased for value, the said collateral note of the Whitener-London Realty Company, secured as aforesaid; and,

Whereas, the said collateral note of the said Geo. H. Miller not being paid when due, the collateral, securing the same was advertised and sold in accordance with the provisions of the said collateral note; and,

Whereas, the undersigned, on March 18th, 1913, demanded additional security from the Whitener-London Realty Company, for the purpose of securing its said collateral note aforesaid, and on the same day said Whitener-London Realty Company, deposited with the undersigned, the then holder and owner of the said collateral note of the Whitener-London Realty Company, as above described, 300,000 shares of the Flat River Mining Company, evidenced by Certificate number 213 of the said Company, as additional security for the payment thereof; and,

Whereas, the said Whitener-London Realty Company owes interest on its said note from the 5th day of November, 1913; and,

Whereas, the payment of the principal and interest has been demanded of the said Whitener-London Realty Company but the same still remains due and unpaid; and,

Whereas, the holder of the note is

invested with full authority to sell, assign and deliver the whole of the said collateral, and any addition thereto at public or private sale at the option of the holder of the said note, applying the proceeds to the payment of this said note, and the balance to the Whitener-London Realty Company;

Now, therefore, in pursuance of the power aforesaid, the undersigned will on

Saturday the 26th day of June, 1915, at the hour of One O'clock P. M. of that day at the south front door of the Court House in the City of Farmington, St. Francois County, Missouri, sell the above mentioned collateral, to-wit: the note of Geo. H. Miller, dated February 11th, 1910, for \$15,000.00 and 300,000 shares of the Flat River Mining Company evidenced by Certificate number 213, of said Company, to the highest bidder for cash, for the purposes stated.

ST. FRANCOIS COUNTY BANK,
Pledgee, Farmington, Mo.
May 27, 1915.
(1st publication, May 28, 1915.)

FOR AN IMPAIRED APPETITE

To improve the appetite and strengthen the digestion try a few doses of Chamberlain's Tablets. Mrs. J. H. Seitz of Detroit, Mich., says: "They restored my appetite when impaired, relieved me of a bloated feeling and caused a pleasant and satisfactory movement of the bowels." For sale by all dealers. (adv.)

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CARRIE NATION'S BROTHER TO WIELD ANTI-LIQUOR AX

Springfield, Mo., June 2.—Called, he says, by a revelation from God, Campbell H. Moore, brother of the late Mrs. Carrie Nation, will devote his life to wielding the anti-liquor hatchet laid down by his crusading sister.

Moore said he once thought Mrs. Nations crazy, but he has changed his mind. The man said he had a vision that told him to "try everybody on earth for their sins," and he proposes to give his remaining years to freeing the United States of the liquor traffic.—St. Louis Star.

RESTRICTIONS OF PRACTICES

For many years it has been customary for real estate agents, notaries and others, who are not regularly licensed as lawyers, to draw up deeds, wills and other legal documents; but a recent enactment of our Legislature, which will go into effect next month, is said to contain a clause which will bar this long-established usage of unlicensed persons drawing legal documents and charging a fee therefor.

The St. Louis Bar Association is considering a plan offered by Alexander M. Robbins, editor of the Central Law Journal, for an inquiry into the extent of the operations of unlicensed practitioners in this city.

Robbins said yesterday that the plan was prompted by the recent agitation against "unlawful practice of law."

Section 132 of the Banking Act, recently announced, provides that trust companies shall not act as executors under any will drawn by a salaried employee of such trust company. Every will appointing a trust company as executor must contain a statement to the effect that the testator "had advise of counsel in relation thereto from one not under salary from said corporation."

Robbins declared these laws will mean more work for the law schools, as the large real estate firms now have use for employees duly trained and licensed to practice law.

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